

## JUNK MAN FREE A FEW MINUTES

M. Levy Acquitted of Receiving Stolen Goods, but Is Arrested Again.

## VARIANCE IN THE PROOF EFFORTS WILL MAKE ANOTHER

M. Levy, a junk dealer, was acquitted in the district court yesterday of the charge of receiving stolen goods knowing them to be stolen, but was immediately rearrested on another charge of the same kind. A determined effort is being made by the police, the sheriff's office and the district attorney to prove the variance between the proof of the various local railroads to convict Levy and send him to the penitentiary.

He was acquitted upon a technicality. The information charged him with buying \$1,000 worth of brass journals stolen by Harry Leroy and Bert Miller from five railroad companies—the Oregon Short Line, the Southern Pacific, the Denver & Rio Grande, the Rio Grande Western and the Union Pacific.

The evidence, however, showed that all the brass stolen was the property of the Oregon Short Line. At the conclusion of the state's evidence, Attorneys A. J. Weber and J. M. Hamilton, who are defending Levy, moved that the jury be instructed to acquit their client because of the variance between the proof and the information and on the further ground that the only evidence tending to show Levy's guilt was uncorroborated evidence of accomplices—Leroy and Miller—which is not sufficient in law to justify a conviction.

District Attorney F. C. Looftbourough and the attorneys for the defense argued these points at considerable length. Judge Armstrong denied the motion so far as the second point was concerned, but held that there was a fatal variance between the information and the proof.

Another Warrant Secured.

When it became apparent that Judge Armstrong would probably discharge Levy, Deputy Sheriff Joseph C. Sharp swore out a warrant before City Judge J. J. Whitaker charging Levy with receiving \$150 worth of brass belonging to the Oregon Short Line, knowing it to be stolen. The warrant was served on Levy shortly after the formal verdict of acquittal was rendered by the jury. Levy at once put up a bond for \$500 for his appearance before Judge Whitaker when wanted. He has been out on bond since his first arrest. He is proprietor of the Great Western Iron & Metal Company, 220-240 South First West street.

HAS LAWYER GUESSING.

Judge Marioneaux Makes It Uncomfortable for Attorney Moyer.

Judge Thomas Marioneaux had Attorney George W. Moyer guessing in Judge Moyer's court yesterday afternoon. As attorney for Pearl M. Holt, who is suing her husband, Mr. Moyer had Holt called to appear at 2 o'clock to show cause why he should not pay temporary alimony to Pearl M. Holt. Judge Marioneaux appeared for Holt, and asked that, owing to the illness of Judge O. W. Powers, his partner, the case be continued. Mr. Moyer objected strenuously.

"All right," replied Judge Marioneaux. "This citation directed us to appear here at 2 o'clock a. m. It couldn't have meant that, but that doesn't compel us to be in court at 2 o'clock this afternoon."

Mr. Moyer's face was a study as he realized that he had made a typographical error in drawing the citation. Judge Marioneaux held with Judge Marioneaux that his client was not compelled to be in court at that hour, and continued the case until 2 o'clock.

Meanwhile Judge Marioneaux interposed a demurrer to the complaint on the ground that it failed to state that either party to the suit was a resident of Utah. Judge Marioneaux sustained this demurrer promptly. He gave Mr. Moyer until 3:30 o'clock to amend his complaint and directed that Judge Marioneaux have his client in court at 5 o'clock.

Before that hour, however, the attorney got together and agreed that the case should be continued for a week.

RAILROAD CASE HEARD.

Row Between Rio Grande and Short Line Before Judge Moyer.

The application of the Rio Grande Western Railroad company for an injunction to prevent the Oregon Short Line from building a spur on Fourth West street between Fifth and Sixth North streets was heard by Judge Moyer yesterday. Testimony in the case was taken and the matter was continued until July 11 for argument.

The Rio Grande Western claims the right to the street in question by virtue of a franchise granted last January by the city council. The Short Line had started to build its spur when it was stopped by a temporary restraining order, which is to continue in force until the matter is argued July 11. P. L. Williams appeared for the Short Line in the case and William Van Cott for the Rio Grande Western.

## SEES FUTURE FOR MOAPA

J. H. Burtner Tells of the Great Agricultural Development in That Region.

J. H. Burtner, district freight and passenger agent of the Salt Lake Route, has returned from a trip to Moapa. Mr. Burtner is enthusiastic over the future of the territory along the Muddy river. He said the fertile lands of the region are ripe for salt Lake, Denver and Butte markets some weeks ago will commence to move next week.

"The soil and climate of Nevada make the Moapa district one of the finest in the world," he continued, "as frost is unknown. Tropical fruits will grow there as well as the hardy cereals. Before the Salt Lake Route pierced the country the Nevadans raised just enough to supply their own wants, but they realize now that ready markets are afforded their products both in the east and west. Farms are being taken up and within a few years this portion of Nevada will be famous for its agricultural products."

Cars Move on Own Lines.

The rule adopted recently by eastern railroads to keep their cars off foreign lines west of the Missouri river is causing local car agents some little worry. In past seasons it has been customary to retain cars from eastern lines in the west until wool season. The foreign cars were then sent east, loaded with wool and live stock. The new rule makes it necessary to transfer cars at Missouri river points, unless the cars can move to their destination over their own lines.

As this seldom is the case the western railroads are hustling to get enough cars of their own to handle the wool and live stock movements on this is a matter of some difficulty.

Racing to Worland.

Wyoming and the whole west is watching the Burlington's race to Worland. When President Roosevelt named Worland as the point of registration in his proclamation opening the Shoshone reservation to settlement, it was with the understanding that the Burlington would have its Frannie extension completed to Worland. The Burlington has rushed 5,000 laborers from the eastern states to the Big Horn country and is working day and night to fill its part of the programme.

Two and in some places three shifts of men are working day and night, laying ties and rails. The Burlington announces that its road will be completed by July 15, and that it will attend a meeting of the Transcontinental Passenger association while east.

Traveling Passenger Agent Kenneth Kerr of the Salt Lake Route has returned from Colorado.

K. O. Keyes of the New York Central has returned from an extended trip to British Columbia.

Superintendent E. Buckingham and General Freight Agent A. J. Rogers of the Oregon Short Line are in Idaho.

General Passenger Agent D. E. Burley of the Oregon Short Line left for Chicago yesterday. He will attend a meeting of the Transcontinental Passenger association while east.

IT WILL BEGIN TO GET HOT About July 1st.

June 20th the Oregon Short Line will operate an excursion to northern Utah and Idaho points. Just the time to get away for a few days of fishing or a rest. See agents for full particulars. CITY TICKET OFFICE 201 MAIN ST.

Cured Hemorrhages of the Lungs.

"Several years since my lungs were so badly affected that I had many hemorrhages," writes A. M. Ake of Wood, Ind. "I took treatment with several physicians without any benefit. I then started to take Foley's Kidney Cure, and my lungs are now as sound as a bell. I recommend it in advanced stages of lung trouble." Foley's Kidney Cure stops the cough and heals the lungs, and prevents serious results from a cold. Retuse substitutes. F. J. Hill Drug Co., the Never Substitutors.

## ALL HOPE TO GET WHOPPERS

Fishermen Will Go to Warm River, Ida., Tonight on a Special Train.

Many local fishermen, whose duties will not hold them to their desks or within the city limits tomorrow will be casting flies and yanking salmon trout from the Warm river, in Idaho. The Oregon Short Line's fishing special which leaves Salt Lake at 8 o'clock tonight will carry a large number of devotees of the rod. The trip is arranged to permit a whole day's fishing, bringing the passengers back to Salt Lake early Monday morning. The train will have through sleepers and diners attached. The passengers will eat breakfast in the diner at Marysville, Ida., reached at 5:30 o'clock tomorrow morning. It will leave Marysville at 7 o'clock and reach the present terminus of the Oregon Short Line's Yellowstone line, a distance of ten miles, a half hour later. The fishermen may fish until 6 o'clock Sunday evening when the train will start for Marysville. Dinner will be served in the dining car at Marysville. The start for home from Marysville will be made at 8:40 p. m. Salt Lake will be reached at 10:40 o'clock Monday.

BASEBALL EXCURSION TO EUREKA.

Via Salt Lake Route, \$2.00 round trip. Eureka vs. Ogden. Special train leaves Salt Lake 8:35 a. m. Special returning 8:45 p. m.

REAL ESTATE TRANSFERS.

Union Pacific Railroad Co. to Oregon Short Line Railway Co., part lots 7 and 8, block 32, plat A, \$5,000.

R. C. Irvine to Martha T. Cannon, land section 11, township 1 south, range 1 west, 700.

B. Gardella to Mot Japs, land Bingham Canyon, 20.

B. Gardella to Samuel Erickson, land Bingham Canyon, 75.

B. Gardella to Charles Hervilla, land Bingham Canyon, 20.

J. B. Walker to John T. Lynch, part lots 1 and 2, section 5, township 3 south, range 3 east, 1.

John T. Lynch to Alta Mining & Development Co., 1.

Elizabeth D. Phillips to James A. Phillips, part block 4, Union Port plat, 1.

George H. Tingle to Henry Wagner Brewing Co., lot 19, block 8, Newhouse Copper plant, 200.

Aaron Keyser to P. N. Rourke, part lot 2, block 37, plat D, 2,700.

T. P. Solomon to Pedro Los Angeles & Salt Lake Railway Co., land section 10, township 1 south, range 1 west, 506.

V. R. Calderwood to D. Carneck, lots 12, etc., block 1, State Street addition, 850.

Ernest Brown to Rose F. Brown, part lot 5, block 27, plat F, 1.

William H. Allen to Elbert W. York, part lot 4, block 23, plat B, 2,500.

**ANTICO AN ARROW**

CLUMPED SHIRTS, QUARTER SIZES 15 CENTS EACH; 2 FOR 25 CENTS CLOUETT, PEABODY & CO.

MAKERS OF CLOUETT AND MONARCH SHIRTS

**6 Hours 250 Miles or 20 Dollars**

CUTS ANY FIGURE WITH YOU ON A TRIP TO MANHATTAN, ROUND MOUNTAIN AND ADJACENT NEVADA CAMPS.

You can save it by going over the Nevada Central Railroad (via Austin.)

Enquire at the city ticket offices or write J. M. Hiskey, Superintendent, Nevada Central Railroad, Austin, Nev.

**Anderson Insurance Agency**

HUGH ANDERSON, Pres. Established 1871. FRANK K. POZ, Secy.

268 South Main St., Salt Lake City. P. O. Box 977. Telephone 195.

**INSURANCE**

Fire, Life and Accident

Aetna, of Hartford ..... \$14,969,379  
Fireman's Fund, of California ..... 5,202,587  
Alliance, of England ..... 62,686,133  
Franklin Fire, of Philadelphia ..... 4,098,378  
Citizens of Missouri (Policies guaranteed by Hartford) ..... 726,018

## EGGS ARE AGAIN CHEAPER

Watermelons Have Dropped Slightly in Price—Hay Is Still Scarce.

There is little change in the local retail market. Eggs, which were 5 cents higher, dropped back to 20 cents a dozen. Melons are somewhat cheaper and a good sized article can be bought for half a dollar. Grape fruit is scarce and higher, the small ones bringing 15 cents or two for 25 cents.

Hay is scarce and the dealers are all holding at the old prices. The weather has not been favorable and scarcely any has arrived this week. If reports are not more favorable soon, the price of lucerne is likely to be advanced rather than lowered as expected.

W. R. Ward of Dyersburg, Tenn., writes: "This is to certify that I have used Orin's Laxative Fruit Syrup for chronic constipation, and it has proven without a doubt, to be a thorough, practical remedy for this trouble, and it is with pleasure I offer my conscientious reference." F. J. Hill Drug Co., the Never Substitutors.

HAVE YOU ATTENDED Desky's Clothing Sale? Now on.

METEOROLOGICAL REPORT.

Yesterday's Record at the Local Office of the Weather Bureau.

Maximum temperature, 77 degrees; minimum temperature, 48 degrees; mean temperature, 62 degrees, which is 11 degrees below the normal. Accumulated deficiency of temperature since the first of the month, 105 degrees; accumulated deficiency of temperature since January 1, 160 degrees. Total precipitation from 6 p. m. to 6 p. m., none. Accumulated excess of precipitation since the first of the month, 74 inches. Accumulated excess of precipitation since January 1, 41 inches.

**All Women**

should assist Nature at those times when the system is upset, the nervous tone low and a feeling of depression or languor exists. An experience of over 50 years warrants the statement that no medicine gives such prompt relief as

**Beecham's Pills**

Sold Everywhere. In boxes 10c. and 25c.

**Ely and Cherry Creek. NEVADA NORTHERN RY.**

will begin Monday, June 25, 1906, operate daily (Sunday excepted) freight and passenger trains between Cobre, Nev., junction point with the Southern Pacific Co., and Curries, at which point automobiles will connect with trains for Ely and Cherry Creek. Leave Cobre 8:30 a. m., arrive Curries 11:30 a. m., Cherry Creek 2 p. m., and Ely 6 p. m. Leave Ely 7 a. m., Cherry Creek 10 a. m., Curries 1:30 p. m., and Cobre 4:30 p. m.

For further information address H. G. Toll, General Freight and Passenger Agent, Cobre, Nev.

The soda cracker is an ideal food. **Uneeda Biscuit** are the ideal soda crackers. Indeed, the **Only** soda crackers rightly made in the first place, rightly protected first, last and all the time.

**5¢ In a dust tight, moisture proof package.**

**NATIONAL BISCUIT COMPANY**

**"The Paris."**

SATURDAY'S SENSATIONAL PRICING

TRIMMED HAT EVENT:

This department offers the most sensational values ever placed before the Salt Lake public. The activity in our millinery department does not permit of any accumulation of old stock.

The goods we offer are unmatched in prices. Read the items and be convinced.

Children's Trimmed Hats, worth \$2.00, at	95c	Ladies' Trimmed Hats, worth \$4.00, at	\$1.95
Children's Trimmed Hats, worth \$3.00, at	\$1.45	Ladies' Trimmed Hats, worth \$6.00, at	\$2.95
Misses' Trimmed Hats, worth \$4.00, at	\$1.95	Ladies' Trimmed Hats, worth \$8.00, at	\$3.95
Misses' Trimmed Hats, worth \$6.00, at	\$2.95	Ladies' Trimmed Hats, worth \$10.00, at	\$4.95

SEE BIG DISPLAY OF THESE GOODS IN NORTH WINDOW.

**\$2.95** A jaunty White Wool Suit, All White or White with Blue Trimming. Comes in the loose pleated Coffee, or the dashing Eton Effect. Skirt full circular model pleated.

**\$7.50 WHITE WASH SUIT, \$4.95.**

This is another wonder. Comes in the pure linen, beautiful Eton Jacket, nicely finished with tucks and lace. Skirt flared gore and groups of tucks running around.

**WHITE LINEN SKIRTS, \$1.75, \$2.75, \$3.48.**

These Skirts come in extra good quality of Linen, flared and circular gored effects; some trimmed and others plain tucks. Come early and get a choice.

**PARASOLS---EXTRA SPECIALS!**

WHITE PARASOL FOR 89c. WHITE PARASOL FOR \$1.00.

We have just received a large shipment of Children's Parasols at 25c, 50c, 65c and \$1.00.

**Barton's Great Five Days' Sale**

**THREE DAYS MORE!**

Today, Monday and Tuesday.

We invite the buying public to participate in the benefits of our Great Sale. MEN'S AND BOYS' CLOTHING, HATS AND FURNISHINGS will be FORCED OUT OF THE STORE BY THE POWER OF THE CUT PRICE.

We have turned prices topsy-turvy They will excite the interest of hundreds and hundreds of buyers, and the more firmly establish the fact that this is a money-saving store. Every counter is bedecked with bargains. Every item is a money saver, every price a new record for cheapness.

Plenty for everybody, but for convenience sake we advise coming early in the day, as it is certain there will be a tremendous demand. The Goods will go quickly. It will pay you to make clothing investments during this sale.

We are bound to make our Store a popular trading place, if excellence of merchandise and lowness of price will do it.

**Your Money Returned If Not Satisfied.**

**BARTON & CO. - 45-47 MAIN** Clothiers to Men and Boys. See Our Window Display.

**We Tell**

We have nothing to conceal! No secrets to hide! We publish the formulas of all our medicines. You will find these in Ayer's Almanac for 1906. If you do not have a copy we will gladly send you one. Then show the formulas to your doctor. If he does not approve, then do not buy; if he approves, then buy, and keep these standard family medicines on hand.

Ayer's Sarsaparilla. Ayer's Pills. Ayer's Cherry Pectoral.